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C O N F I D E N T I A L SECTION 01 OF 02 KINSHASA 000274

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SUBJECT: SHORTLEY BRIEFS P3+2+MONUC FOLLOWING MEETINGS WITH NKUNDA AND KIGALI

REF: A. KIGALI 165

1B. KINSHASA 215

1C. KINSHASA 190

Classified By: A/DCM D. Brown for reasons 1.4 (b&d)

11. (C) Summary. AF Senior Adviser Tim Shortley briefed P3 2 ambassadors March 7 in Kinshasa on his talks with Nkunda and Kigali the previous week. Shortley confirmed that Nkunda had agreed to rejoin the Goma process. Shortley stressed that the international community must treat Nkunda in a way that gives the peace process the greatest chance of success, even if it may leave unresolved -- at least for the moment -- the question of "justice." He said Foreign Minister Murigande told him Rwanda is working up a list of 10 priority genocidaires. SRSG Alan Doss highlighted the need for MONUC to deal with ceasefire violations involving the CNDP and PARECO, the possibility of an independent investigation into the Kalonge massacre, and diplomatic and military options for dealing with the FDLR. End summary

12. (C) Tim Shortley, A/S Frazer's Senior Adviser for Conflict Resolution, briefed P3 2 ambassadors and senior MONUC officials March 7 at MONUC-Kinshasa on his meetings earlier in the week with Nkunda and in Kigali (ref A). The meeting was chaired by SRSG Alan Doss, with DRSG Ross Mountain, Force Commander General Babacar Gaye and numerous counselors sitting in. Ambassadors from the U.S., Belgium and South Africa participated, as did the French and British DCMs.

Nkunda

13. (C) Shortley said he had warned Nkunda that the CNDP had an image problem internationally and would suffer serious consequences if it remained outside the Goma process. He told Nkunda the USG was increasingly frustrated with his actions. He stressed that he would not be negotiating Nkunda's particular grievances, but would treat them in a separate track to enable the CNDP to rejoin the Goma process.

Shortley said Nkunda appeared to respond well both to the attention and Shortley's tough line. He agreed that the CNDP would rejoin the process and appeared to put a great deal of stock in commitments made by the international facilitators to act as a bridge between him and the GDRC.

14. (C) Shortley and the ambassadors discussed how the international community should view Nkunda: as a signatory to a peace process who can expect protection as long as he remains involved, or simply as a war criminal. Shortley argued that the international community should treat Nkunda whichever way allows the Goma process the greatest prospect

of success. He noted that if Nkunda does not have confidence in the international facilitators, he will not remain in the Goma process. If the international community insists on "justice" for Nkunda before peace, he will have no reason to participate.

¶ 15. (C) The Belgian ambassador praised Shortley's work, calling it a confidence-building measure of its own. He asked whether Nkunda is acting in good faith, or stringing everyone along. He argued that the GDRC needs to show more flexibility in its dealings with Nkunda. Shortley noted that Nkunda had transformed his role from military commander to political leader. In the sense that Nkunda sees a political future for himself and is looking for the peace process to succeed, he is acting in good faith. He also understands that the international community could force him to face some kind of judicial process in the future. Shortley said Nkunda told him he would deal with that situation when it comes. Responding to a question from the South African ambassador, Shortley said Kabila would prefer that Nkunda just leave the country to "cool off."

Kigali and Goma

¶ 16. (C) Shortley also briefed the group on his March 6 meetings in Kigali, where he briefed Foreign Minister Charles Murigande on his talks with Nkunda and discussed FDLR issues (ref A). He noted Murigande had emphasized that Rwanda wanted an immediate Security Council vote on the FDLR resolution (since achieved) and a joint plan with the DRC to put an end to the FDLR threat. Murigande told Shortley Rwanda is working up a short list of 10 priority genocidaires and wants to move forward on re-establishing bilateral

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relations and increased economic cooperation with the DRC. Shortley said he delivered a strong message about putting an end to Rwanda's haggling over JMG Task Force minutes (ref B).

¶ 17. (C) Shortley said Rwanda was interested in increasing dialogue with MONUC on DDRRR issues, and hoping for a "cocktail" of international assistance to move the Nairobi process forward, including FARDC training and increased intelligence coordination. Shortley emphasized that MONUC is now carrying the burden of implementing Nairobi, and said the international community needs to bolster MONUC, the DRC and Rwanda in order to move forward.

¶ 18. (C) Following his trip to Kigali, Shortley met with North Kivu humanitarian and NGO representatives in Goma. He said they asked for more briefings on the Goma process from MONUC and other international facilitators. Some are also calling for access to CNDP-controlled areas, and Nkunda appears to be opening that door.

MONUC views

¶ 19. (C) Following Shortley's briefing, SRSG Doss underscored several points related to Goma and Nairobi. First, MONUC must deal with CNDP and PARECO ceasefire violations and may have to deploy additional troops to fill gaps that PARECO in particular might otherwise occupy. He acknowledged an independent inquiry into the Kalonge massacre (ref C) could be an option, noting that MONUC's human rights office could not re-open its own investigation. He stressed that MONUC must actively address potentially inflammatory rumors in order to maintain effective crisis control.

¶ 10. (C) Doss noted that the Nairobi process has suffered due to the current focus on Goma. The long Rwandan list of genocidaires also set back efforts: the DRC now blames Rwanda for undercutting its outreach efforts to the FDLR, and suspects Rwanda would prefer that FDLR members remain on Congolese territory. He stressed that all parties must keep

up diplomatic pressure on the FDLR. He acknowledged the need for a military option but emphasized that any campaign against the group would have to take into account the potential impact on the local population.

¶11. (C) DSRSG Ross Mountain emphasized that a strong DDR program must be funded and ready to process ex-combatants when they begin demobilization through the Goma process. He noted the present inadequacies of the Congolese DDR program and pointed out that it had only avoided being overwhelmed because of the sluggishness of the Goma process talks.

GARVELINK